

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

BRAD KEITH SIGMON,

Plaintiff,

v.

BRYAN P. STIRLING, in his official capacity
as the Director of the South Carolina
Department of Corrections; and SOUTH
CAROLINA DEPARTMENT OF
CORRECTIONS,

Defendants.

Civil Action No.: 3:21-cv-01651-RBH

**PROPOSED INTERVENOR GOVERNOR
MCMASTER'S RESPONSES TO LOCAL
CIVIL RULE 26.01 (D.S.C.)
INTERROGATORIES**

COMES NOW Proposed Intervenor–Defendant Henry McMaster, in his official capacity as Governor of the State of South Carolina (“Governor McMaster”), by and through the undersigned counsel, and responds to the Interrogatories required by Rule 26.01 of the Local Civil Rules (D.S.C.) as follows:

(A) State the full name, address and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of said interest.

RESPONSE: At this time, Governor McMaster is not aware of any persons or legal entities that may have a subrogation interest.

(B) As to each claim, state whether it should be tried jury or nonjury and why.

RESPONSE: All of the claims alleged in the Complaint should be tried nonjury, because Plaintiffs seek only declaratory and injunctive relief and because Plaintiffs have not demanded a jury trial on any claim so triable.

(C) State whether the party submitting these responses is a publicly owned company and separately identify: (1) each publicly owned company of which it is a parent, subsidiary, partner, or affiliate; (2) each publicly owned company which owns ten percent or more of the

outstanding shares or other indicia of ownership of the party; and (3) each publicly owned company in which the party owns ten percent or more of the outstanding shares.

RESPONSE: Not applicable.

(D) State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division).

RESPONSE: Governor McMaster does not presently object to or challenge the appropriateness of this division pursuant to Rule 3.01 of the Local Civil Rules (D.S.C.).

(E) Is this action related in whole or in part to any other matter filed in this District, whether civil or criminal? If so, provide (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases that may be related regardless of whether they are still pending. Whether cases are related such that they should be assigned to a single judge will be determined by the clerk of court based on a determination of whether the cases arise from the same or identical transactions, happenings, or events; involve the identical parties or property; or for any other reason would entail substantial duplication of labor if heard by different judges.

RESPONSE: At this time, Governor McMaster is aware of *Justice 360 v. Stirling*, No. 3:20-cv-3671 (D.S.C.), filed by some of Sigmon's lawyers seeking information about SCDC's lethal injection protocols. Governor McMaster is also aware of multiple state court actions related to Sigmon's scheduled execution, including *Owens & Sigmon v. Stirling*, No. 2021-CP-40-2306 (S.C. Comm Pls.), *State v. Sigmon*, No. 2002-024388 (S.C.), and *Sigmon v. State*, No. 2021-024388 (S.C.).

(F) If the defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.

RESPONSE: Governor McMaster has moved to intervene in his official capacity.

(G) If you contend that some other person or legal entity is, in whole or in part, liable to you or the party asserting a claim against you in this matter, identify such person or entity and describe the basis of said liability.

RESPONSE: At this time, Governor McMaster does not contend that some other person or legal entity is liable to him or to Plaintiffs as it relates to this matter.

Respectfully submitted,

s/Wm. Grayson Lambert

Thomas A. Limehouse, Jr. (Fed. Bar No. 12148)

Chief Legal Counsel

Wm. Grayson Lambert (Fed. Bar No. 11761)

Senior Legal Counsel

OFFICE OF THE GOVERNOR

South Carolina State House

1100 Gervais Street

Columbia, South Carolina 29201

(803) 734-2100

tlimehouse@governor.sc.gov

glambert@governor.sc.gov

Counsel for Governor McMaster

June 8, 2021

Columbia, South Carolina